

# COMMITTEE REPORT

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## MADAM PRESIDENT:

The Senate Committee on Judiciary, to which was referred House Bill No. 1776, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1       Page 6, line 31, after "person;" insert "**or**".
- 2       Page 6, line 33, delete "; or" and insert "**and the person:**
- 3               **(A) has a mental illness (as defined in IC 12-7-2-130) that**
- 4               **may be controlled by medication, and the person has not**
- 5               **demonstrated a pattern of voluntarily and consistently**
- 6               **taking the person's medication while not under**
- 7               **supervision; or**
- 8               **(B) is the subject of documented evidence that would give**
- 9               **rise to a reasonable belief that the person has a propensity**
- 10              **for violent or emotionally unstable conduct."**
- 11       Page 6, delete lines 34 through 37.
- 12       Page 7, line 2, delete "states under oath or affirmation" and insert
- 13       **"provides the court a sworn affidavit:**
- 14              **(A) stating why the law enforcement officer believes the**
- 15              **person is dangerous and in possession of a firearm; and**
- 16              **(B) describing the law enforcement officer's interactions**
- 17              **and conversations with:**
- 18              **(i) the person who is alleged to be dangerous; or**
- 19              **(ii) another individual, if the law enforcement officer**
- 20              **believes that information obtained from this individual**
- 21              **is credible and reliable;**

- 1                   **that have led the law enforcement officer to believe the**  
2                   **person is dangerous and in possession of a firearm;"**.

3                   Page 7, delete lines 3 through 6.

4                   Page 7, line 7, delete "statement" and insert "**affidavit**".

(Reference is to HB 1776 as reprinted February 16, 2005.)

**and when so amended that said bill do pass .**

Committee Vote: Yeas 10, Nays 0.

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**Senator Bray, Chairperson**